

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MARK YAMAZAKI et al.

Serial No.: 10/711,499

Filed: September 22, 2004

Title: METHOD FOR CONTROLLING CHARGING OF
A POWER SOURCE OF A HYBRID VEHICLE

Attorney Docket No.: 81102778 (FMC 1781 PUS)

**REQUEST FOR REFUND OF
APPEAL BRIEF FEE UNDER 37 C.F.R. § 1.26**

Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request a \$ 510 refund of the appeal brief fee paid on February 5, 2008. Applicants electronically submitted an appeal brief fee of \$510 under 37 C.F.R. § 41.20(b)(2) with an Appeal Brief on February 5, 2008. In response, prosecution was reopened in a communication mailed on April 30, 2008. In response to the April 30, 2008 communication, Applicants initiated a new appeal and electronically submitted a second appeal brief fee of \$510 under 37 C.F.R. § 41.20(b)(2) with an Appeal Brief on August 21, 2008. Accordingly, a refund of the \$510 appeal brief fee submitted on February 5, 2008 is appropriate since the February 5, 2008 appeal was not submitted to the Board of Patent Appeals and Interferences.

This request for refund is being filed within two years of the date the fee was paid under the provisions of 37 C.F.R. § 1.26(b). Please make the refund by crediting Ford Global Technologies, LLC Deposit Account No. 06-1510.

Respectfully submitted,

MARK YAMAZAKI et al.

By /Matthew M. Mietzel/
Matthew M. Mietzel
Reg. No. 46,929
Attorney for Applicant

Date: September 15, 2008
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351